

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

JOEL D. JOSEPH

Plaintiff,

-vs-

Civil Action No. 17-cv-814 (FPG)

BUFFALO NEWS, INC.

Defendant.

**PLAINTIFF'S LOCAL RULE 56
STATEMENT OF MATERIAL
FACTS AS TO WHICH THERE
IS GENUINE ISSUE**

1. Defendant Buffalo News, Inc. published an article written by plaintiff and copyrighted by plaintiff without express or implied authorization.

2. Plaintiff's article was a full-length oped, not a letter to the editor, and not an opinion letter.

3. Plaintiff did not agree that the Buffalo News, Inc. could publish, in print or online, his article without payment of compensation.

4. Defendant Buffalo News, Inc. continued to publish online Mr. Joseph's oped for more than six months.

5. Buffalo News, Inc. did publish this article willfully and intentionally knowing that it had no right to do so.

/Joel D. Joseph/

JOEL D. JOSEPH